

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2017-0147 (Daisy Drive Rezoning)

**Z.A.P. DATE:** January 16, 2018  
January 30, 2018

**ADDRESS:** 2401 and 2405 Daisy Drive

**DISTRICT AREA:** 7

**OWNER/APPLICANT:** Guadalupe and Glafira M. Gonzales

**AGENT:** Moreno Consultants (Candy Moreno)

**ZONING FROM:** CS

**TO:** CS-MU

**AREA:** 0.95009 acres

### **SUMMARY STAFF RECOMMENDATION:**

The staff recommendation is to grant CS-MU-CO, General Commercial Services-Mixed Use-Conditional Overlay Combining District, zoning. The conditional overlay will limit the site to a maximum of one residential unit.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

1/16/18: Meeting canceled because of inclement weather.

1/30/18: Approved staff's recommendation of CS-MU-CO zoning by consent (7-0, D. Breithaupt – absent, A. Denkler and Y. Flores, S. Lavani -arrived late); J. Duncan-1<sup>st</sup>, B. Evans-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The site under consideration consists of two undeveloped lots located at the southeast corner of a gravel driveway (future Magnolia Boulevard) and Daisy Drive. The properties surrounding this site to the north, south, east, and west are zoned for CS/CS-1 district uses. The lots to the north fronting West Howard Lane are developed with a tree service business (Barlett Tree Express). The land to the south consists of a lot with a manufactured home and a single family residence and a lot developed with an automotive repair business. To the east, there an Outdoor Storage use (palette storage and distribution). The tract of land to the west is vacant. The applicant is requesting to rezone the property in question to add a mixed use overlay because they would like to develop a mechanic shop with a residence on the site.

The staff is recommending CS-MU-CO zoning at this location because the property is located within an area that contains a mixture of residential and commercial uses. Many of the properties within this area are developed with residences, commercial businesses, and/or a combination of these live/work uses. The site under consideration meets the purpose statement and size requirements for the CS zoning district. The proposed CS-MU-CO zoning would allow the applicant to develop these lots with a mixture of residential, office and commercial uses that will be consistent and compatible with the surrounding land uses in this area of the City.

The applicant agrees with the staff recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	CS	Undeveloped
<i>North</i>	CS, CS-1-CO	Tree Service (Barlett Tree Experts)
<i>South</i>	CS	Manufactured Home/Single Family Residence, Automotive Repair Business
<i>East</i>	CS	Outdoor Storage (Palette Storage and Distribution Business)
<i>West</i>	CS	Vacant

**AREA STUDY:** North Lamar Area Study**TIA:** Not Required**WATERSHED:** Walnut Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

Bike Austin  
 Friends of Austin Neighborhoods  
 Homeless Neighborhood Association  
 North Growth Corridor Alliance  
 SELTEXAS  
 Sierra Club, Austin Regional Group  
 The Woods of Century Park Homeowners Association  
 Wells Branch Neighborhood Association

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2015-0041 (Trial's Rezoning: 13805 Orchid Lane)	GR to CS	6/02/15: Approved staff's recommendation of CS-CO zoning on consent (6-0); G. Rojas-1 <sup>st</sup> , S. Compton-2 <sup>nd</sup> .	6/11/15: Approved CS-CO zoning on consent on all 3 readings (11-0); A. Kitchen-1 <sup>st</sup> , P. Renteria-2 <sup>nd</sup> .
C14-2010-0156 (2609 and 2701 Daisy Drive)	CS to CS-MU	11/02/10: Approved the staff's recommendation of CS-MU-CO zoning, with CO to limit the site to 2,000 vehicle trips per day, on consent (7-0); S. Baldrige, G. Bourgeois-2 <sup>nd</sup> .	12/09/10: Approved CS-MU-CO zoning on consent on all 3 readings (7-0); Spelman-1 <sup>st</sup> , Martinez-2 <sup>nd</sup> .
C14-2007-0109 (2600 Gardenia Drive)	CS to CS-MU	8/21/07: Approved staff's recommendation of CS-MU-CO zoning with added condition to prohibit drive-in service by consent (7-0, K. Jackson-absent); J. Martinez-1 <sup>st</sup> , J. Gohil-2 <sup>nd</sup> .	9/27/07: Approved CS-MU-CO zoning by consent (5-0, B. Dunkerley-absent, J. Kim- off the dais)
C14-05-0035 (3101 – 3105 West Howard)	GO to GR	4/19/05: Approved staff's recommendation of GR-CO by consent (7-0, C. Hammond,	3/19/05: Approved GR-CO (6-0; Thomas- off dais); 1 <sup>st</sup> reading

Lane)		K. Jackson-absent); J. Martinez-1 <sup>st</sup> , M. Hawthorne-2 <sup>nd</sup> .	6/09/05: Approved GR-CO by consent(6-0, McCracken-off dias); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-03-0188 (13201-13205 Burnet Road)	GO to GR	4/3/04: Approved staff's recommendation of GR zoning, by consent (9-0)	3/4/04: Granted GR zoning (6-0, McCracken-absent); all 3 readings
C14-03-0181 (2401 West Howard Lane)	GR to CS-1	2/3/04: Approved staff recommendation of CS-1-CO zoning, with a 2,000 vehicle trip limit per day (9-0)	3/4/04: Granted CS-1-CO (6-0, McCracken-absent); all 3 readings
C14-00-2205	GR to LI	12/5/00: Approved staff rec. of CS-CO (as amended by applicant) by consent (8-0); conditions as follows: 1) Height limit of 40 feet 2) Prohibit Adult Oriented Businesses 3) 2,000 vehicle trip per day limit	1/18/01: Approved CS-CO w/conditions; (6-0); all 3 readings
C14-00-2112	IP to MF-3	9/19/00: Approved staff alt. rec. of MF-3-CO by consent (9-0)	10/26/00: Approved MF-3-CO on 1 <sup>st</sup> reading (7-0)  12/7/00: Approved MF-3-CO (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-00-2179	IP to SF-2, SF-3, MF-1	10/17/00: Approved staff rec. of SF-2 (TR1), SF-3 (TR 2), and MF-1 (TR3) by consent (8-0)	11/30/00: Approved SF-2-CO (TR1), SF-3-CO (TR2); MF-1-CO (TR3) w/condition of 2,000 vehicle trip per day limit (7-0); all 3 readings

**RELATED CASES:** C14-85-149 (North Lamar Area Study):

The Land Use Map calls for a mixture of Commercial and Industrial use in this area.

**ABUTTING STREETS:**

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Bike Route</b>	<b>Capital Metro</b>
Ida Ridge Drive	~90'	~62'	Industrial Collector	Opposite side of street	No	Yes

**CITY COUNCIL DATE:** February 15, 2018

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

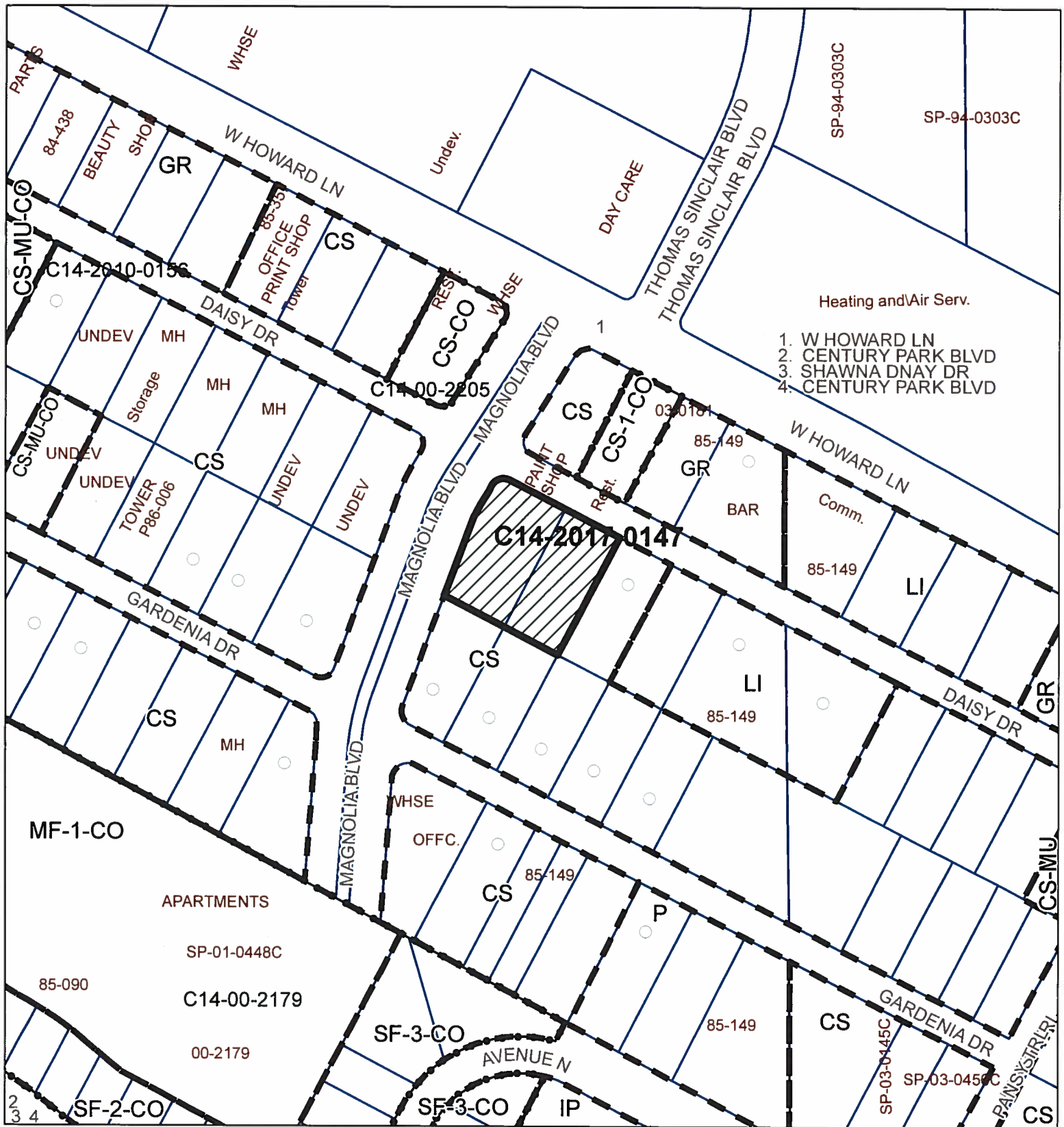
2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

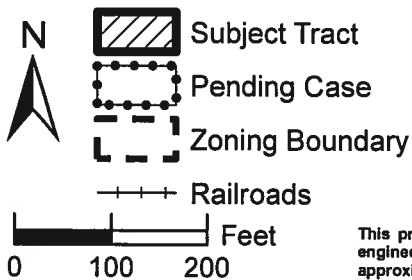
**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 512-974-3057,  
[sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)



## ZONING

Case#: C14-2017-0147

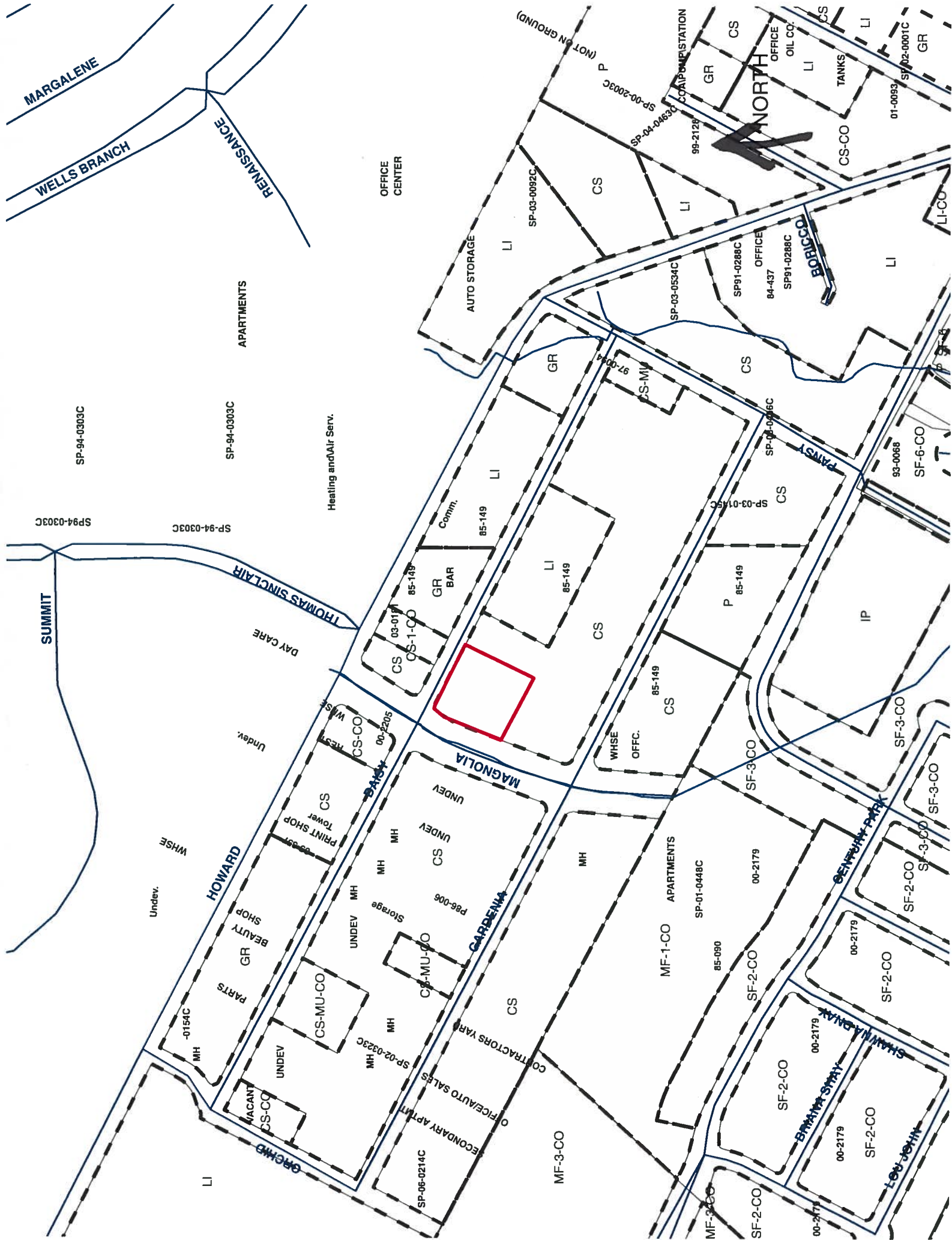


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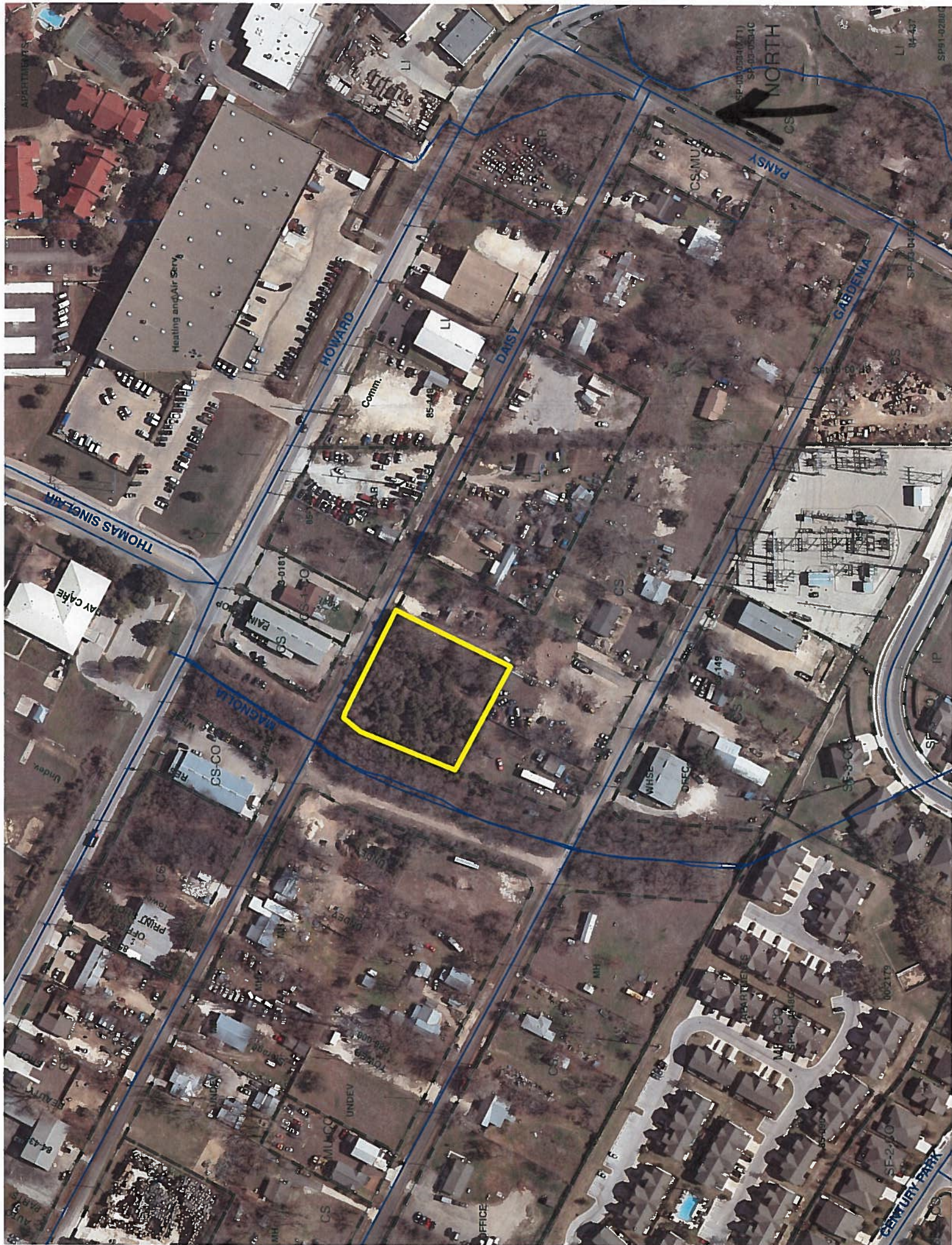
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Created: 12/5/2017









## STAFF RECOMMENDATION

The staff recommendation is to grant CS-MU-CO, General Commercial Services-Mixed Use-Conditional Overlay Combining District, zoning. The conditional overlay will limit the site to one residential unit.

## BASIS FOR RECOMMENDATION

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

General commercial services (CS) district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

The purpose of a mixed use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development.

2. *The proposed zoning should promote consistency and orderly planning.*

The proposed zoning will promote consistency and orderly planning because the property is located within an area that contains a mixture of residential and commercial uses. The lots surrounding this site to the north, south, east, and west are zoned for CS/CS-1 district uses. Many of these properties are developed with residences, commercial businesses, and/or a combination of these live/work uses.

3. *The proposed zoning should allow for a reasonable use of the property.*

The CS-MU-CO zoning district would allow for a fair and reasonable use of the site because the property in question meets the minimum lot requirements for the requested zoning designation and because the proposed district will allow the applicant to develop uses on the site with commercial uses that are consistent with the surrounding land uses. The proposed MU, Mixed Use, Combining District will allow for a mixture of office, civic and residential uses to be developed on the site.

## EXISTING CONDITIONS

### Site Characteristics

The property in question contains two undeveloped lots that are relatively flat and densely vegetated. The lots to the north, fronting West Howard Lane, consist of an undeveloped lot and a tree service business (Barlett Tree Express). The properties to the south consist of a lot with a manufactured home and a single family residence and a lot developed with an automotive repair business. To the east, there is an Outdoor Storage use (palette distribution and storage). The tract of land to the west is vacant.

## Comprehensive Planning

Monday December 18, 2017

2401 and 2405 Daisy Drive

This zoning case is located on the south side of Daisy Drive, on a vacant piece of property that is approximately .95 acres in size. The property is not located within the boundaries of an area with an adopted neighborhood plan. Surrounding land uses includes a tree service company to the north; auto sales/auto repair/auto storage to the south; a palette distributor to the east, and vacant land the west. The proposed use is a mechanics shop and a residence.

### **Connectivity**

There are no public sidewalks available along Daisy Drive and no CapMetro transit stops along this portion of Howard Lane. Access to Howard Lane from this location is also limited. The Walkscore for this site is 36/100, *Car Dependent*, meaning most errands require a car.

### **Imagine Austin**

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP) identifies Howard Lane, located one block north as an **Activity Corridor**. **Activity Corridors** are intended to allow people to **reside, work**, shop, access services, people watch, recreate, and hang out without traveling far distances. They are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, **mixed-use buildings**, and offices. More specifically, the uses located along this portion of Howard Lane contain a variety of uses, including commercial, industrial, industrial/warehouse.

Based upon the comparative small scale of the site relative to other larger commercial and residential uses in the area, and the property being located by an Activity Corridor, this project falls below the scope of Imagine Austin; and consequently the plan is neutral on the proposed rezoning.

## Environmental

Wednesday December 06, 2017

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Walnut Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves,



sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

### **Impervious Cover**

The maximum impervious cover allowed by the zoning district would be 95%. However, because the Watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

Note: The most restrictive impervious cover limit applies.

### **Site Plan**

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

### **Compatibility Standards**

The site is subject to compatibility standards. Along the southern property line, the following standards apply:

- ☐ No structure may be built within 25 feet of the property line.
- ☐ No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- ☐ No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- ☐ No parking or driveways are allowed within 25 feet of the property line.
- ☐ A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

- ☐ For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.
- ☐ An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- ☐ A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.

### **Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

### **Transportation**

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Daisy Dr	50 ft	20 ft	Local	No	No	No
Magnolia Dr.	120 ft	20 ft	Local	No	No	No

### **Water and Wastewater**

Thursday November 30, 2017

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fees once the landowner makes an application for Austin Water utility tap permits.

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: [www.austintexas.gov/planning](http://www.austintexas.gov/planning).

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2017-0147

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: January 16, 2018, Zoning and Platting Commission  
February 15, 2018, City Council

Michelle Banks  
Your Name (please print)

2632 Century Park Blvd Unit #20

Your address(es) affected by this application

Michelle Banks

Signature

Daytime Telephone: 512-350-4499

1/10/2018  
Date

☐ I am in favor  
☒ I object

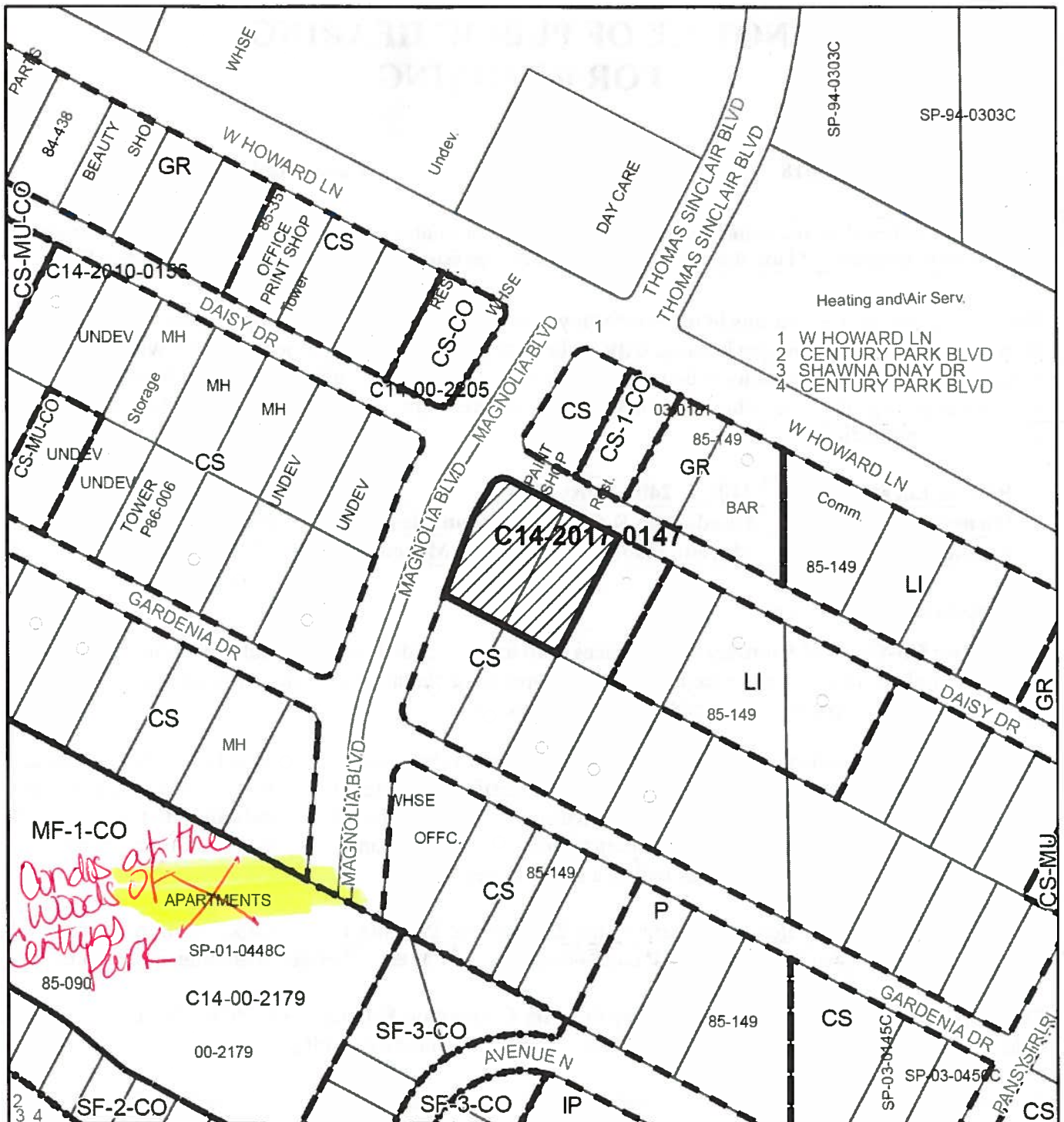
Comments:

Still not sure what type of business this will be, but I am not in favor because of current issues with businesses in the area and noise. Will this business contribute to the noise issue, which the City of Austin fails to address? Plus the apartments on the enclosed map are in fact the condos at the Woods of Century Park and we are home owners who care about our community and property investment.

If you use this form to comment, it may be returned to:

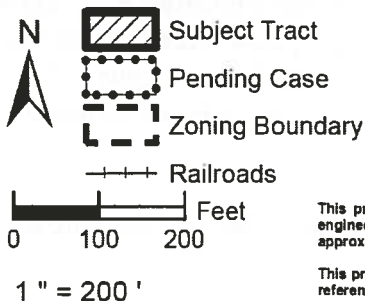
City of Austin  
Planning & Zoning Department  
Sherri Sirwaitis  
P. O. Box 1088  
Austin, TX 78767-8810





## ZONING

Case#: C14-2017-0147



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